



NOTICE OF APPEAL FROM
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re the application of:

Confirmation No. 7923

Clive TANG

Art Unit: 2637

Serial Number: 09/901,988

Examiner: Jacob M. Meek

Filed: July 10, 2001

Atty. Docket No.: 59864.00660

For: APPARATUS, AND ASSOCIATED METHOD, FOR SELECTING A SWITCHING THRESHOLD
FOR A TRANSMITTER UTILIZING ADAPTIVE MODULATION TECHNIQUES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 27, 2006

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 27, 2006 of the Primary Examiner finally rejecting Claims 1-11, and 13-21.

The item(s) checked below are appropriate:

1. A petition for an extension of time to respond to the final rejection was filed on March 21, 2006 for two month(s), and enclosed is a petition for an extension of time for the third month with the appropriate fees included in the attached check no. 14356.
2. A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. Fee \$500.00 or Small Entity \$250.00

Check No. 14356 is enclosed.

Charge to Counsel's Deposit Account No. 50-2222. An additional copy of this Notice is enclosed.

In the event that this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Counsel's Deposit Account No. 50-2222, along with any other additional fees which may be required with respect to this paper.

SQUIRE, SANDERS & DEMPSEY LLP

Signature (Rule 191(b)) . . .

Clive P. Neal
Arlene P. Neal
Reg. No.: 43,828

500.00 US

Customer Number 32294

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APN:kmp
Enclosures: Petition for a third-month extension of time; and Check No. 14356

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